

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RON BIDDLE, HENRY CORIZ, JOE R. FLORES, JR.,  
and MARK SENA,

Plaintiffs,

vs.

Civ. No. 01-263 RLP/WWD

APRIA HEALTHCARE,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon a Motion to Extend Discovery Deadlines filed by Plaintiffs on November 26, 2001 [docket no. 15]. Plaintiffs' counsel has accepted a position with the Workers' Compensation Administration, and he seeks an extension of the discovery deadline. Discovery presently is scheduled to end on January 22, 2002. Plaintiffs' attorney has consistently failed to fulfill Plaintiffs' obligations under the discovery process, and he has not served any written discovery nor has he sought any depositions. I decline to encourage such nonperformance on the part of counsel.

**WHEREFORE,**

**IT IS ORDERED** that Plaintiffs' Motion to Extend Discovery Deadlines [docket no. 15] be, and it is hereby, **DENIED**.

  
UNITED STATES MAGISTRATE JUDGE